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By ECF

The Honorable Laura T. Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Daniel Bonventre
Criminal Docket No. 10-228 (LTS)

Dear Judge Swain:

I write to address scheduling of submissions in connection with sentencing in the above-referenced case. Over the weekend, I received an email from the Probation Department, advising that Mr. Bonventre's revised Presentence Report might not be issued until July 7, 2014, the day that his sentencing submission is due. Meanwhile, by letter dated June 25, 2014, the government has proposed a schedule on forfeiture issues that appears unworkable.

As I advised Your Honor on the day of the verdict when scheduling was set for post-verdict motions and sentencing (Tr 12,205), I have a trial, which was then scheduled for June 30, 2014, and is now firmly scheduled for July 7, 2014, in *In re Thomas C. Gonnella*, Securities and Exchange Commission File No. 3-15737. It had been my intention, nonetheless, to complete our sentencing submission for Mr. Bonventre by July 7, as scheduled, but the Probation Department's notification that the revised report might not be issued until July 7 (or later this week when I will be preparing virtually full time for trial) is problematic. Further, my trial and current range of other commitments make it impossible for me to address the forfeiture issues in this case in the same time period, as proposed by Mr. Schwartz. While I believe the criminal forfeiture issues alone are too complex to be dispensed with as quickly as Mr. Schwartz suggests in his letter, I have separately urged Your Honor and Judge Preska to see the wisdom of Your Honor addressing all issues related to the same assets.

We were able to submit Mr. Bonventre's objections to his Presentence Report within the usual fourteen-day period, and required only a brief extension to submit our reply to the government's voluminous response to our post-verdict motions.

For these reasons, we oppose the government's proposed scheduling on forfeiture and otherwise request an adjustment of the current schedule for sentencing.

Respectfully submitted,

/s

Andrew J. Frisch

cc: All Counsel